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Netherlands

Food and Agricultural Import Regulations and Standards - Certification

FAIRS Export Certificate Report

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Report Highlights:

The Netherlands, as a member of the European Union (EU), conforms to all EU regulations and directives. However, rules for the certification of imports are complicated and in practice not always harmonized across EU Member States. This report lists the recent developments related to the Dutch requirements for the certification of agricultural and food imports.

Introduction

The Netherlands, as a member of the European Union (EU), conforms to all EU regulations and directives. We therefore recommend that this report is read in conjunction with the EU FAIRS Export Certificate Report which can be found on the FAS website:

<http://gain.fas.usda.gov/Pages/Default.aspx> or obtained from the U.S. Mission to the EU in Brussels, Belgium (USEU).

Dutch Customs conducts the document check from which the Netherlands Food and Consumer Product Safety Authority (NVWA) selects the lots for further inspection. The NVWA is part of the Ministry of Economic Affairs. Unfortunately for exporters, rules for certification of imports are complicated and in practice not always harmonized across EU Member States. This report lists the recent developments related to the Dutch requirements for the certification of agricultural and food imports.

E-Certification

The Dutch Ministry of Economic Affairs continues to promote the use of e-certification for both exports and imports. The NVWA and U.S. regulatory agencies agree to further support the use of E-certification. To date, the U.S. Agricultural Marketing Service (AMS) has been very supportive in promoting the use of electronic certificates. An estimated 15 percent of the certificates issued for dairy, almonds and pistachios are electronic certificates. The advantages being that the document check can be performed at an earlier stage, issues can be identified and rectified and the paper certificates will not get lost. Ultimately it will cut down on the administrative burden and save costs. The United States continues to work closely with the EU as the latter is updating their TRACES system, the EU electronic certification system. Unfortunately, the EU still requires exporters to also use a hard copy of the certificate.

Composite Products

The EU has created a model health certificate for imports of composite products, which was implemented in 2012. All composite products containing a processed meat product are subject to a veterinary check. Generally speaking, composite products that have more than 50 percent of animal origin products also require a certificate, and there are certification requirements concerning the heat treatment for all dairy products. But the EC guidance document does not always provide a clear answer. Specifically there have been problems issuing the right certificate for food supplements. The export of cheesecake on the other hand resumed after the agreement between the NVWA and FAS The Hague of accepting two certificates for one shipment.

Backdating

One of the EU requirements is that: "The certificate must be issued before the consignment to which it relates leaves the control of the competent authority of the country of dispatch". This means that the health certificate must be issued and signed before the shipment which it relates to leaves the United States. If a replacement certificate is needed, the USDA Food Safety Inspection Service (FSIS) has

been dating the replacement certificate with the same date as the original. Dutch port officials do not accept a backdated certificate.

In the autumn of 2015, the Dutch port officials of the NVWA agreed to accept backdated certificates if it included the following remark: “This certificate no. XXX to the EU is issued on (today’s date) in lieu of certificate no. XXX dated (date of previous certificate).” The NVWA agreed to accept this statement until the FSIS issues a new model certificate to accompany EU requirements.

On October 26, 2016, FSIS issued [Notice 83-16](#), which is changing the instructions to date the replacement certificate with the current date in order to provide an accurate date of certification for the importing country. In addition, FSIS is now limiting the time a replacement certificate can be issued without re-inspection to ninety calendar days for products that are not frozen or not shelf stable and 364 calendar days for frozen or shelf stable products.

Broken Seals

For conducting the identity check of the shipment, the Dutch NVWA requires the seal number of the container to be on the health certificate. A seal number on the Bill of Lading is not sufficient as these can be easily re-issued by private companies. If no seal number is present on the health certificate, a physical check is necessary to verify the identity of the shipment. If there is a broken seal, the port official will conduct an open container check to verify the health marks, count the boxes, verify the weight, and/or open the boxes to ensure that the product in the container matches what is listed on the export documentation.

<p>DISCLAIMER: This report has been prepared by the USDA/Foreign Agricultural Service in The Hague, the Netherlands for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, the information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their Dutch customer (importer), who is normally best equipped to research such matters with local authorities, before any goods are shipped. Final import approval of any product is subject to the importing country’s rules and regulations as interpreted by border officials at the time of product entry.</p>
